

Embden Planning Board – December 8, 2022

Members present were Chairman Leo Mayo, Ann Bridges, Myles Durkin, and alternate Aaron Crocker along with CEO Terri Lamontagne.

The Chairman asked Aaron Crocker to sit in place of Kelly Bragg.

Minutes of the November meeting were accepted as presented.

Correspondence: None

Old Business: None

Present: See attached list

Permit #	Issued to	Construction Type	Plumbing Permit #	Amt.	TR #
2883	Christopher Garwich	To emplace 26' x 42' dwelling on full foundation ; 28' HWM; to replace existing 16' x 8' deck; site review completed 12/06/22; 1405 Embden Pone Road; Tax Map 024; Lot 004		\$25.00	#24159-1

Next on the agenda was an application from Snowshoe Village Unit Owner's Association (Embden Pond Road; site review completed 12/06/22; TR#25136-1 - \$25.00; Tax Map 024, Lot 1-37) to emplace 195' temporary floating dock system with fingers to be located on the southern portion of the shore line 400' from the property line and to emplace 178' temporary floating dock system with fingers located on the northern portion of the shore line 20' from the property line.

The chairman indicated that he would allow citizens and/or representatives of the abutting landowner, Bruce Dow to speak as to their concerns about the new dock systems proposed by Snowshoe Village.

There were several comments from those in attendance concerning the length and location of these systems; navigational hazards, etc.

It was noted that Snowshoe Village had already released leases from the Maine Department of Parks and Recreation for the temporary systems. State approval of the leases was contingent on all local, state and federal rules being met.

Snowshoe Village Unit Owner's Association was represented by Attorney Dan Bernier. Mr. Bernier wanted clarification of what part of the ordinance SVUOA violated and further clarification of the ordinance pertaining to temporary docks and the need for a permit from the Planning Board instead of the CEO. See Land Use Table – Embden Shoreland Zoning Ordinance.

Attorney Christopher Pazar, who represents Mr. and Mrs. Bruce Dow who are abutting landowners to the north of Snowshoe Village. He proceeded to give the Board some background history concerning Snowshoe Village and Dow's property including discussion of an agreement between prior landowners concerning the location of any dock to be 125' from SVUOA northern property line. The Dow's position is that the dock system should not interfere with the natural beach and should be consistent with those in the area and should have no impact on the neighbors' property.

Next to speak was Bruce Dow who read several pages list of problems encounter over the years; i.e. missing fire wood, using his dock to fish and swim; loud parties; financial burden, etc.

After Mr. Dow finished outlining the problem, the Chairman indicated that no further comments would be taken.

After much discussion between the Board members including a review of the Town's Shoreland Ordinance and fact finding a motion was made by AB and seconded by AC that the Planning Board would take no action on the application of SVUOA as they had no jurisdiction and cited Land Use Table – Embden Shoreland Zoning Ordinance Item #16 as well as Footnote #11. All were in favor.

A copy of the Board's decision will be forwarded to the attorneys for Mr. Dow and for SVUOA.

Next on the agenda was an application of Jeffrey Hagerty (3 Fern Drive; site review 12/06/22; Tax Map 026, Lot 005; TR#25269-1 - \$25.00) to emplace 18' x 18' one story dwelling on full foundation 181' from MWM. Soil erosion control to be in place prior to any earth moving activities. Some discussion ensued concerning the waste water disposal system since it would be served by the existing system used by a second structure. A motion was made and seconded to take no action on the application until the Board has received a report from a soil scientist. All were in favor.

There being no further business to come before the Board, it was voted to adjourn. Adjourned at 8:40 p.m.

Respectfully submitted,

Ann C. Bridges, Secretary